

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63745 of 2018**

Arising Out of PS. Case No.-277 Year-2018 Thana- DAUDNAGAR District- Aurangabad

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1. Nitish Paswan @ Nitish Kumar (Paswan), S/o Vishnudeo Paswan.
  2. Deochand Paswan.
  3. Najeet Paswan.  
Both Sons of Birju Paswan.
  4. Kongress Kumar, S/o Deochand Paswan.
  5. Krishna Paswan, S/o Dharmu Paswan.
  6. Veera Paswan, S/o Krishna Paswan.
  7. Lalmuni Kunwar, W/o Vishnudeo Paswan.
  8. Panwa Devi, W/o Deochand Paswan.
- All are resident of Village- Dhanawan, P.S.- Daudnagar, District- Aurangabad Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Alka Singh, Advocate.  
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      01-02-2019                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Daudnagar P.S. Case No.277 of 2018 registered under Sections 147, 149, 323, 325, 337, 338, 308 and 504 of the Indian Penal Code.

The accusation is that on 06.08.2018 at about 09.30 A.M., the informant Niraj Kumar was at his door. At that time, nine persons, named in the F.I.R., including the petitioners came



there and started to abuse and commit “Maar-Peet” through lathi, in which the informant and his uncle Ram Pukar Ram sustained injuries at their foreheads. When Arti Devi, the mother of the informant, rushed there, she was also assaulted by pelting stone. At that time, the sister and grandmother of the informant also sustained injuries. The cause of the occurrence is said to be land dispute regarding which Panchayti was arranged in the supervision of Sapanch Ramlayak Singh but no decision was taken.

Learned counsel appearing for the petitioners submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties in which both sides sustained injuries regarding which on the basis of the written report of the petitioner no.7 Lalmuni Kunwar, Daudnagar P.S. Case No.278 of 2018 was also instituted against the prosecution party. Moreover, out of the three injuries, as found on the person of Ram Pukar Ram, the uncle of the informant, one is simple in nature and regarding the nature of the rest two injuries, the opinion was kept reserved. It has further been submitted that it would appear from the F.I.R. that no specific allegation is attributed to the petitioners and vide order dated 20.12.2018 passed in Criminal Misc. No.73585 of 2018 by a coordinate



Bench of this Court, the prosecution party has been granted the privilege of pre-arrest bail.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No.277 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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